

Applicant : Lawrence H. Domash
Serial No. : 10/000,146
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Atty. Docket No.: 111554.126 US5

REMARKS

We cancelled claims 1-7, 11-13 and submitted new claims 14-27. After entering the amendments, claims 8, 10, and 14-27 will be pending in this application.

The examiner indicated that Figs. 1-3 should be designated by a legend, such as "Prior Art." We are submitting herewith formal drawings consisting of two sheets presenting Figs. 1-3 and which include that legend. We ask the examiner to substitute these sheets for the corresponding drawing sheets presently in the application.

The examiner rejected claims 1-8, 10, 12, and 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,696,062 (LaBudde). We note, however, that contrary to what the examiner appears to believe, LaBudde does not teach or suggest "a semitransparent sensor as originally claimed. More specifically, LaBudde does not teach or suggest

a sensor assembly on the substrate, said sensor assembly having detector regions that are at least semitransparent to the steered optical beam, said sensor assembly also having a plurality of electrodes arrayed around the target region, wherein during use the steered optical beam passes through the target region and on toward a target element and the sensor assembly generates signals at the plurality of electrodes that indicate a position of the steered optical beam relative to the target region and that are used to control the beam steering element so as to align the steered beam relative to the target region

as now recited in claim 14 which replaces claim 1.

The examiner appears to believe that X,Y photodetector 46 is equivalent to the semitransparent sensor recited in the claims. But nothing in the LaBudde specification indicates that photodetector 46 allows any portion of the alignment beam 34 to pass through the detector so that it can be used after it has served its detection function. Moreover, since LaBudde is using an alignment beam 34, and not the data beam 36, to align his components, there is no need to make photodetector 46 semitransparent. Indeed, doing so would imply a reduced sensitivity of the detector, which would be contrary to achieving its detection function.

Claim 26, which is similar to claim 14, is directed toward embodiments in which a plurality of independent and separate sensor portions are arrayed around the target region. We believe that new claim 26 is patentable for at least the same reasons as claim 14. That is, claim

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26 also recites a "sensor assembly including a plurality of independent and separate sensor portions arrayed around the target region."

New method claim 27, which replaces original method claim 7, is patentable over LaBudde for at least the same reasons described above. More specifically, claim 27 recites "passing the steered optical beam through semitransparent sensor regions of a sensor assembly and on towards a target element."

For the reasons stated above, we believe that the claims are allowable and therefore ask the Examiner to allow them to issue.

Please charge our Deposit Account No. 08-0219 the required fee \$55.00 for the Petition for One-Month Extension of Time under 37 CFR 1.136(a). Please apply any other charges or credits to Deposit Account No. 08-0219.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric L. Prahl".

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